

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

In Re: FEMA TRAILER
FORMALDEHYDE PRODUCTS
LIABILITY LITIGATION

MDL NO. 07-1873

SECTION "N" (5)

THIS DOCUMENT RELATES TO
ALL CASES

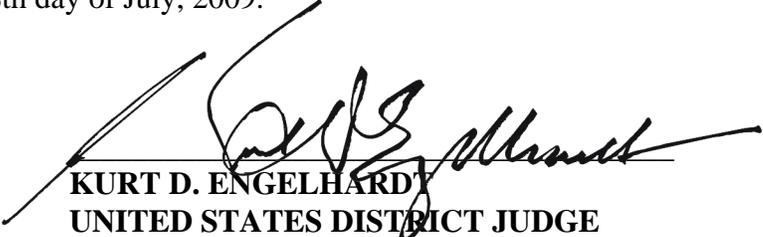
ORDER

IT IS ORDERED that the **Joint Unopposed Motion to Extend the Non-Litigation Track During Pendency of Preemption Appeal (Rec. Doc 2293)** is **DENIED**.

IT IS FURTHER ORDERED that on or before **Wednesday, August 12, 2009**, the parties shall agree on a bellwether plaintiff who corresponds to a specific manufactured home defendant (who formerly was on the non-litigation track) to participate in a sixth bellwether trial to begin on **Monday, July 12, 2010**. Only plaintiffs who have FEMA-ripe claims are eligible to serve as bellwether trial plaintiffs. If, by that date, the parties cannot reach an agreement, they shall submit nominations for the sixth bellwether trial and objections to the selections they oppose.

IT IS FINALLY ORDERED that on or before **Wednesday, August 12, 2009**, the parties shall submit a jointly-proposed scheduling order, which shall include dates tied to the Monday, July 12, 2010 trial date for the sixth bellwether trial.

New Orleans, Louisiana, this 28th day of July, 2009.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE